

California Regional Water Quality Control Board
Santa Ana Region

Resolution No. R8-2007-0082

Authorizing the Signature of the Middle Santa Ana River Total Maximum Daily Load (TMDL) Task Force Agreement and Delegating Authority to the Executive Officer to Execute all Functions under the Agreement and to Consider Further Proposed Amendments to the Agreement

Whereas, the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board) finds that:

1. The Middle Santa Ana River Bacterial Indicator TMDLs were approved by the Regional Water Quality Control Board (Regional Board) on August 25, 2005 (Resolution No. R8-2005-0001), the State Water Resources Control Board on May 15, 2006 (Resolution No. 2006-0038) and the California Office of Administrative Law (OAL) on September 1, 2006. On May 16, 2007, the US Environmental Protection Agency, Region IX approved the Middle Santa Ana River Bacterial Indicator TMDLs.
2. The US Forest Service, the County of Riverside, the Riverside County Flood Control and Water Conservation District, the San Bernardino County Flood Control District, the cities of Norco, Corona and Riverside, the Santa Ana Watershed Project Authority, and the Chino Basin Watermaster Agricultural Pool (representing concentrated animal feeding operators and agricultural operators within the Chino Basin) developed an Agreement to form the Middle Santa Ana River TMDL Task Force.
3. The purpose of the Task Force is to review and develop recommendations to update the Middle Santa Ana River Bacterial Indicator TMDLs based on additional science and data, and to plan and implement TMDL implementation tasks identified in the approved Middle Santa Ana River Bacterial Indicator TMDLs.
4. The Task Force Agreement contemplates that the Regional Board will participate on the Task Force and serve as an advisory member.
5. The Regional Board's representative would fully participate in Task Force meetings, but will have no voting rights except as to further amendments to the Agreement. Further, the Regional Board would have no obligation to make any financial contributions, or any financial obligations under the Agreement.
6. Regional Board participation as an advisory member of the TMDL Task Force would facilitate timely compliance with the TMDL requirements.
7. It is appropriate to delegate to the Executive Officer authority to execute all functions under the Agreement and any further proposed amendments to the Agreement.
8. The Regional Board Executive Officer's signature to the Task Force Agreement neither connotes nor denotes a commitment by the Regional Board to implement the results and recommendations of the Task Force studies regarding revisions to the Middle Santa Ana River Bacterial Indicator TMDLs or any future TMDLs. Rather, the Executive Officer's signature denotes commitment to meaningful participation in considering appropriate revisions to the TMDLs, developing appropriate strategies to address the impairment in Middle Santa Ana River watershed waterbodies and ensuring that all responsible

dischargers participate in the TMDL implementation process. The Regional Board does not relinquish any rights or obligations as a result of its participation on the Task Force.

Now, Therefore, Be It Resolved That:

1. The Executive Officer is authorized to sign the Agreement to form the Middle Santa Ana River TMDL Task Force in substantially the same form as the document attached to this Resolution. The Executive Officer is authorized to accept and approve non-substantive changes to the Agreement.
2. The Regional Board authorizes the Executive Officer to perform all functions under the Agreement and to approve future necessary amendments to the Agreement consistent with this Resolution.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Santa Ana Region, on November 30, 2007.


Gerard J. Thibeault
Executive Officer